



General Assembly

February Session, 2022

Substitute Bill No. 5376



**AN ACT CONCERNING RECOVERY OF ATTORNEYS' FEES UNDER
THE STATE CODE OF ETHICS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 1-82 of the 2022 supplement to the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2022*):

4 (c) [If a judge trial referee finds, after a hearing pursuant to this
5 section, that there is no probable cause to believe that a public official or
6 state employee has violated a provision of this part, section 1-101bb or
7 section 1-101nn, or if the board determines that a public official or state
8 employee has not violated any such provision, or if a court of competent
9 jurisdiction overturns a finding by the board of a violation by such a
10 respondent,] If (1) after a hearing pursuant to this section, the board
11 determines that a matter was brought without any substantial
12 justification, or (2) upon a subsequent appeal of the board's decision, a
13 court of competent jurisdiction determines that a matter was brought
14 without any substantial justification, the state shall pay the reasonable
15 legal expenses of the respondent as determined by the Attorney General
16 or by the court, if appropriate. If any complaint brought under the
17 provisions of this part, section 1-101bb or section 1-101nn is made with
18 the knowledge that it is made without foundation in fact, the respondent
19 shall have a cause of action against the complainant for double the
20 amount of damage caused thereby and, if the respondent prevails in

- 21 such action, the respondent may be awarded by the court the costs of
22 such action together with reasonable attorneys' fees.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2022</i>	1-82(c)
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Statement of Legislative Commissioners:

Subdiv. (2) was rewritten for clarity.

GAE *Joint Favorable Subst. -LCO*